

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:16-CV-179-D

PATRICK SOLOMON, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 REX UNC HEALTHCARE, )  
 )  
 Defendant. )

**ORDER**

On October 21, 2016, Magistrate Judge Gates issued a Memorandum and Recommendation (“M&R”) [D.E. 4]. In that M&R, Judge Gates recommended that plaintiff’s application to proceed in forma pauperis be granted and that the complaint be dismissed for lack of subject-matter jurisdiction. Neither party filed objections to the M&R.


The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made. Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record.

Plaintiff’s application to proceed in forma pauperis is GRANTED, and plaintiff’s complaint

is DISMISSED for lack of subject-matter jurisdiction. The clerk shall close the case.

SO ORDERED. This 8 day of November 2016.

  
JAMES C. DEVER III  
Chief United States District Judge